

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

STEVE BYRUM,

Plaintiff,

Case No. 12-CV-13579

vs.

HON. GEORGE CARAM STEEH

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

_____/

ORDER OF DISMISSAL

Before the court is plaintiff's "application to dismiss," in which he states, via counsel, that he wishes to "withdraw this matter and to dismiss the Complaint." No answer to the complaint has been filed by defendant to date.

The court construes this filing as a notice of dismissal under Fed. R. Civ. P. 41(a)(1)(A)(i). That rule provides for dismissal without court order upon the filing of a notice of dismissal, where the notice is filed before the opposing party files its answer or a motion for summary judgment. Accordingly, the complaint is hereby DISMISSED.

IT IS SO ORDERED.

Dated: September 28, 2012

S/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on September 28, 2012, by electronic and/or ordinary mail.

s/Marcia Beauchemin
Deputy Clerk